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JUSTIN D. KARJALA

Date: December 22, 1999

Docket No.: 0230-0145P

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is a Request for filing a continuation divisional application under 37 C.F.R. § 1.53(b) of pending prior Application No. 08/669,286 filed on June 28, 1996, the entire contents of which are hereby incorporated by reference, by

NAKAMURA Seiji, SAKURAI Takashi, and NEZU Jun-ichi

for

GENE ENCODING ADSEVERIN

1. Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2. The filing fee has been calculated as follows:

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		LARGE ENTITY		SMALL ENTITY	
BASIC FEE		\$760.00		\$380.00	
NUMBER FILED		NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS	3-20 =	0	x 18 =	\$0.00	x 9 = \$0.00
INDEPENDENT CLAIMS	2-3 =	0	x 78 =	\$0.00	x 39 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED				+ \$260.00	+ \$135.00
		TOTAL		\$760.00	\$0.00

3. A check in the amount of \$760.00 to cover the filing fee and recording fee (if applicable) is enclosed.

4. Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.

5. Amend the specification by inserting before the first line thereof the following:

a. --This application is a continuation divisional of co-pending Application No. 08/669,286, filed on June 28, 1996, the entire contents of which are hereby incorporated by reference.--

→ b. --This application is a continuation divisional of co-pending Application No. 08/669,286, filed on June 28, 1996. Application No. 08/669,286 is the national phase of PCT International Application No. PCT/JP94/02227 filed on December 27, 1994 under 35 U.S.C. § 371. The entire contents of each of the above-identified applications are hereby incorporated by reference.--

6. Transfer the drawings/photographs from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this request is enclosed for filing in the prior application file.

✓7. Enclosed are thirteen (13) sheets of formal drawings and/or photographs.

8. A statement claiming small entity status was filed in prior Application No. 08/669,286 on _____. See the attached copy of the statement claiming small entity status.

9. The prior application is assigned to Chugai Seiyaku Kabushiki Kaisha.

✓10. A Preliminary Amendment is enclosed.

11a. Priority of Application No(s). _____ filed in _____ on _____ is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on _____.

11b. Priority of International Appln. PCT/94/02227 filed on December 27, 1994 under the Patent Cooperation Treaty and Japanese Application Nos. 5-355112, 6-160236, and 6-340692 filed in Japan on December 28, 1993, July 12, 1994, and December 20, 1994, respectively under 35 U.S.C. § 119 are hereby reclaimed.

✓12. An Information Disclosure Statement and PTO-1449 form are attached hereto for the Examiner's consideration.

13. Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
P.O. Box 747
Falls Church, VA 22040-0747
Telephone: (703) 205-8000
or
Customer No. 2292

14. An extension of time for _____ () month(s) until has been submitted in parent Application No. 08/669,286 in order to establish co-pendency with the present application.

15. Also enclosed herewith is the following:

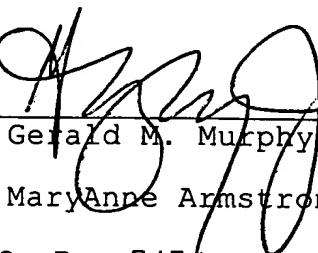
Rule 53(b) Div. of Serial No.: 08/669,286
New Attorney Docket No. 0230-0145P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Gerald M. Murphy, Jr., #28,977

MaryAnne Armstrong, # 40,069

P.O. Box 747
Falls Church, VA 22040-0747
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GMM/MAA/mar
0230-0145P

Attachments

(Rev. 09/15/99)

Papers Filed herewith on: 12/22/99

DOCKET NO.: 230-145P

ATTY: GMMI MAA

APPLICANT(S):

USSN: New

PAT NO.: _____

New Application with Transmittal Letter
 Utility Design CIP PCT Provisional
 Filing Under 37 CFR 1.53(b) CONT DIV
 Filing Under 37 CFR 1.53(d) (CPA)
 Specification Consisting of: 1081 pages
 Combined Declaration & Power of Attorney
 Assignment / Cover Letter
 Letter to Official Draftsman
 Drawings 13 Sheets Formal Informal Red-Ink
 Completion of Filing Requirements, PCT/DO/EO/905 or PTO-1533 and Executed Declaration
 Priority Document(s) / Cover Letter, No. Doc.
 Amendment: Preliminary Amend
 Transmt Ltr Large Entity Small Entity
 Response _____
 Information Discl Stmtnt. PTO-1449(s) 0 ref(s)
 Notice of Appeal Appeal Brief
 Issue Fee Transmittal
 FEES: \$ 760.00 Ck # 5018538
 Letter: _____
 Other: _____

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 12/22/99
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DOCKET NO. 230-145P

Papers Filed herewith on: 12/22/99

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ATTY: GMMI MAA

APPLICANT(S): NAKAMURA Seiji et al.

USSN: New

FILED: December 22, 1999

PAT NO.: _____

New Application with Transmittal Letter
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 Response _____
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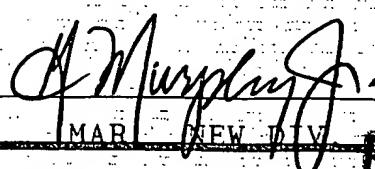
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